

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 22ND MARCH 2007 / 1ST CHAITHRA 1929

RP.No. 212 of 2007(I)

AGAINST THE JUDGEMENT/ORDER IN WPC.24658/2003
.....

REVISION PETITIONER/PETITIONER

P.K.JOSHY, S/O.KOSHY,
AGED 61 YEARS, NAMAKKAD HOUSE, KANDANADU KARA,
MANAKUNNAM VILLAGE, KANAYANNOOR TALUK,
ERNAKULAM DISTRICT.

BY ADV. SRI.SABU THOZHUPPADAN

RESPONDENTS:

1. THE DEPUTY TAHSILDAR (RR),
KANAYANNOOR TALUK, ERNAKULAM.
2. THE DEPUTY TRANSPORT COMMISSIONER (LAW),
CENTRAL ZONE-II, ERNAKULAM.
3. JOINT REGIONAL TRANSPORT OFFICER,
TRIPUNITHURA, ERNAKULAM.

BY GOVERNMENT PLEADER SMT.SMITHA

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 22/03/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

.....
R.P. No.212 of 2007 in
W.P.(C) No.24658 of 2003
.....

Dated this the 22nd day of March, 2007.

ORDER

The W.P. was filed against rejection of appeal against demand of motor vehicle tax in respect of a dismantled vehicle on account of four days delay in filing the appeal. This court directed payment of Rs.10,000/- as a condition for entertaining the appeal and for deciding it on merits. However, petitioner could not remit the amount on account of financial problems and hence this review is filed. The petitioner has now stated that entire arrears of tax can be remitted under protest and petitioner is willing to argue the appeal after remittance of the amount under protest. In the circumstances, review petition is disposed of with direction to the respondents to receive Rs.21,750/- without any surcharge or interest and if paid within three weeks from today, on production of receipt for payment, second respondent will take up the appeal and dispose of the same on merits after hearing the petitioner and after verifying the records. If liability is modified or reduced or cancelled, amount will be refunded to the petitioner. Even if tax is sustained, there will be direction to the respondents to waive the surcharge and interest.

C.N.RAMACHANDRAN NAIR
Judge

pms